

October 21, 2014

Dear Candidate:

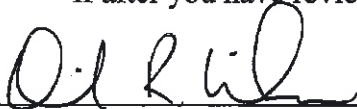
The City of Springfield would like to take this opportunity to welcome you as a potential candidate for City Council, and to inform you that in accordance with the Springfield City Charter Section 13.1, petitions for City Council candidates for the April 7, 2015, election must be filed in the Springfield City Clerk's office between December 2, 2014 and January 20, 2015. These dates are calculated based on Springfield City Charter provisions and the Greene County Clerk's notification deadline of January 27, 2015. The hours for filing are 8:00 a.m. to 5:00 p.m. Monday through Friday, excluding legal holidays.

A copy of the election law of the City of Springfield, Missouri, applicable to your candidacy as a City Councilperson, is attached for your information (Springfield City Code Chapter 46). Candidates should read and study this law. Chapter 115, the election law of the State of Missouri, is available for copying at your local library or on the internet at [www.moethics.state.mo.us](http://www.moethics.state.mo.us). Based on RSMo 115.342 candidates are also required to complete the Missouri Department of Revenue Candidate's Affidavit of Tax Payments and Bonding Requirements Form 5120. This form can be found at <http://dor.mo.gov/forms/5120.pdf> and must be mailed to the Department of Revenue and a copy filed with the City Clerk's Office at the time you declare your candidacy. The County Clerk, Richard Struckhoff, is the chief local election law official and is available to help you and answer any questions you might have. He can be reached at 417-868-4055. The Secretary of State for the State of Missouri has published a Election Law Handout which can be obtained by calling 573-751-2301. The Law Department and the City Clerk's office will also endeavor to provide a candidate with information concerning how to comply with these laws. **However, it should be noted that the responsibility for compliance with the law rests upon the candidate.**

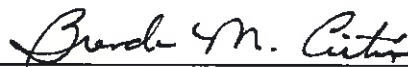
Also included in this packet is a copy of the following:

- Section 19-16 of the Springfield City Code
- Chapter 13 of the City Charter regarding Elections
- Sign ordinance as it pertains to political signs
- Financial Disclosure information provided by the Missouri Ethics Commission
- RSMo Chapter 105.487 regarding Financial Interest Statements
- Candidate Election Procedures
- City Council Application

If after you have reviewed this information you have any questions, please feel free to contact us.



Dan Wichmer  
City Attorney  
City of Springfield



Brenda M. Cirtin, MMC/MPCC  
City Clerk  
City of Springfield

Office of the City Clerk  
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Springfield, Missouri 65801 • 417-864-1651 • [springfieldmo.gov](http://springfieldmo.gov)



Springfield, Missouri, Code of Ordinances >> PART II - CODE >> **Chapter 46 ELECTIONS >>****Chapter 46 ELECTIONS <sup>11</sup>**

Sec. 46-1. Boundaries of wards, precincts and council zones.

Sec. 46-2. Establishment of council zones.

Sec. 46-3. Designation of seats for general councilmembers.

Sec. 46-4. Nominating petitions.

Sec. 46-5. Filling of vacancy created by recall election.

Sec. 46-6. Campaign finance.

Sec. 46-7. Use of city offices and rooms for political activities.

Sec. 46-8. Posting campaign literature or signs in city buildings.

**Sec. 46-1. Boundaries of wards, precincts and council zones.**

The four (4) council zones required to be established by Section 1.4 of the Charter of the city of Springfield shall be and shall contain all that territory within the City described as follows:

*Zone One:* All of that part of the City contained within the present boundaries of precincts 7A, 7B, 7C, 16A, 16B, 16C, 20A, 20B, 22C, 26A, 26B, 26C, 27A, 27B, 27C, 29C, 35B, 36A.

*Zone Two:* All of that part of the City contained within the present boundaries of ward 11 and precincts 1A, 1B, 1C, 2A, 2B, 12A, 12B, 22A, 22B, 29A, 29B, 29C, 30A, 31A, 31B, 31C, 37A, 37B, 37C.

*Zone Three:* 3B, 4A, 4B, 5A, 5B, 6A, 6B, 9A, 9B, 34A, 34B, 34C, 35A, 42A, 42B, 42C.

*Zone Four:* All of that part of the city contained within the present boundaries of precincts 3A, 32A, 32B, 32C, 33A, 33B, 38A, 38B, 39A, 39B, 39C, 40A, 40B, 40C, 40BN, 44A, 44B, 44C, 45A, 45B.

(Code 1981, Ch. 11A; G.O. No. 5185, § 1, 5-20-2002; G.O. No. 5221, § 1, 9-23-2002)

**Sec. 46-2. Establishment of council zones.**

The zone council districts shall be as established by the council from time to time pursuant to section 1.4 of the Charter, such district descriptions to be placed on file with the city clerk.

**Sec. 46-3. Designation of seats for general councilmembers.**

Seats filled in the 1985 general city election for general councilmembers shall be designated as general councilmember A and general councilmember B. Seats for general councilmembers filled in the April 1987 municipal election shall be designated as general councilmember C and general councilmember D. Thereafter, such designations shall apply for purposes of appointment and election.

(Code 1981, § 11-8)

**Sec. 46-4. Nominating petitions.**

A nominating petition for the city council shall include thereon, at the time the petition is signed, the office for which the person is being nominated. The city clerk shall provide forms for nominating candidates to a city council office.

(Code 1981, § 11-9)

#### **Sec. 46-5. Filling of vacancy created by recall election.**

- (a) *Form of nominating petition.* The form of the nominating petition for a candidate to fill a vacancy created by a recall election, including the acceptance of nomination, shall be as follows:

We, the undersigned registered voters of the City of Springfield, Missouri, respectfully petition and request the name of \_\_\_\_\_, residing at \_\_\_\_\_, to be placed upon the ballot as a candidate for the office of \_\_\_\_\_ to be voted for at the election to be held on the \_\_\_\_\_ day of \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_, \_\_\_\_\_, and we, individually, signify that our names have appeared on the roll of registered voters within the last year, and that we are qualified to vote for this candidate:

NAME

STREET AND NUMBER

DATE OF SIGNING

#### **STATEMENT OF CIRCULATOR**

The undersigned is the circulator of the foregoing paper containing \_\_\_\_\_ signatures. Each signature appended thereto was made in my presence and is the genuine signature of the person whose name it purports to be. I am a registered voter, qualified to vote for this candidate, and I believe each signer is a registered voter qualified to vote for this candidate.

Signature of Circulator

Address

- (b) *Filing and verification of nominating petitions; notification of county clerk.* Nominating petitions to fill the unexpired term of a councilmember who has been recalled shall be filed with the city clerk on or before the date established by the city council. Upon the filing of the nominating petition, the city clerk shall determine if the petition is sufficient and shall notify the person filing the petition within three calendar days after the petition is submitted whether or not the petition is sufficient. A petition that is found insufficient may be amended provided the amendment is filed within the time for the filing of nominating petitions. The city clerk shall notify the county clerk in accordance with provisions of state law not later than the fourth Tuesday by 5:00 p.m. prior to any special election to fill a vacancy created by recall, certifying to the election authority the sample ballot. The city clerk is further authorized to certify to the county clerk on the eighth Tuesday prior to any date involving a recall election the name of the office to be filled, the date of the election, and the date by which candidates must file for the office.

(Code 1981, § 11-7)

#### **Sec. 46-6. Campaign finance.**

- (a) *Title; intent; definitions.*

- (1) *Title.* This section may be cited as the Springfield Campaign Finance Ordinance.
- (2)

*Intent.* The city council finds and declares that in recent years the amount contributed by individuals to political action committees and in turn by these committees to candidates for seats on the city council has increased dramatically. The campaign finance laws of the state limit contributions to candidates by political committees provided the committee is an enduring entity. Committees established solely for the purpose of influencing a single election and which then terminate operations following that election may not be subject to the state law limitations, nor is there a state limitation on the total contributions that an individual can make in a calendar year. Contributions from these committees and to these committees by individuals have been on the increase in the city. The courts and various governmental entities have consistently found that large unregulated contributions can have corrupting influence, either actual or apparent, on government.

- (3) *Definitions.* Words, terms or phrases used in this section shall be accorded the same meaning as in RSMo 130.011. The following terms, which are not defined in RSMo 130.011, shall have the meaning designated in this subsection:
- a. *Political committee* means any committee or group of two or more individuals or persons, including a continuing committee, which in any calendar year makes expenditures, whether independent or otherwise, or contributions to influence any city council candidate election which in the aggregate exceed \$200.00. A political committee does not include a candidate committee or political party committee.
  - b. *Independent expenditure* means an expenditure for a communication by a person expressly advocating the election or defeat of a clearly identified candidate which is made without cooperation or consultation with any candidate, or any authorized committee or agent of such candidate, and which is not made in concert with or at the request or suggestion of any candidate, or any authorized committee or agent of such candidate. This provision shall be interpreted and applied in the same manner as the Federal Election Commission interprets and applies its comparable definition of "independent expenditure" at 11 CFR 100.16.
  - c. *Related committees* means two or more political committees that are established, maintained, financed or controlled by substantially the same person.
- (b) *Applicability of state law.*
- (1) *Campaign Finance Disclosure Law.* The contribution and expenditure limitations, disclosure and reporting requirements, together with all other applicable provisions, of the Missouri Campaign Finance Disclosure Law, RSMo ch. 130, as amended from time to time, shall govern all city council elections.
  - (2) *Other state law.* The provisions of state law, as amended from time to time, relating to the qualifications of electors, the manner of voting, the duties of election officers and the form for ballots, the duties of the city clerk, notice of election, numbers of judges, duties, and appointments thereto, polling hours, canvass of the vote, and all other particulars in regard to the conduct of elections shall govern all city elections so far as such provisions are applicable.
- (c) *Limitations on contributions and non-independent expenditures.*
- (1) *Contributions to political committees (PACs).* No person shall make or receive contributions to any political committee or to any set of related committees which exceed in any calendar year the amount that person is permitted by state law to

contribute per election to a candidate committee of an individual seeking election to an at-large seat on the city council. RSMo 130.032.1(5) currently provides that the maximum amount that can be contributed to a candidate in an at-large election in the city is \$500.00 per election, or a total of \$1,000.00 if the maximum contribution is made for the primary and general election. For purposes of this subsection, any contribution made to a political committee in the calendar year preceding the calendar year in which the election is held is deemed to have been made in the calendar year in which the election is to be held.

- (2) *Contributions and expenditures by non-continuing committees.* A political committee which is not a continuing committee shall be subject to the same contribution and expenditure limitations that apply to continuing committees under state law. RSMo 130.032.3 currently provides that the maximum amount that can be made by or accepted from a continuing committee for an at-large candidate in the city is \$500.00 per election and for a zone council candidate \$250.00 per election.
- (3) *Limitations on contributions and expenditures per calendar year.* No individual shall make contributions to candidate committees of those seeking election to the city council and to political committees which in the aggregate exceed \$5,000.00 in any calendar year. For purposes of this subsection, any contribution made to a candidate in the calendar year preceding the calendar year in which the election is to be held is deemed to have been made in the calendar year in which the election is to be held. If one or more unexpired terms are filled, the total amount that an individual can contribute under this subsection shall be increased by \$1,000.00 for each unexpired term to fill an at-large city council seat and by \$500.00 for each unexpired term to fill a zone council seat.
- (4) *Independent expenditures.* The limitations on contributions and expenditures contained in this section do not apply to independent expenditures.
- (d) *Registration and disclosure requirements for political committees.*
  - (1) *Registration.* All political committees shall file a statement of organization with the clerk of the city on a form prescribed by the clerk no later than ten days after becoming a political committee within the meaning of subsection (a)(3)a of this section.
  - (2) *Disclosure.* Any political committee not otherwise required by state law to file disclosure reports shall file disclosure reports with the clerk of the city on the forms provided in the same manner and subject to the same schedule as would pertain if the committee were a continuing committee. All such reports shall be available to the public upon request.
- (e) *Penalties.*
  - (1) Any person who accepts or gives contributions or makes expenditures in violation of this section shall be subject to a penalty equal to the nonallowable contribution or expenditure and a fine of up to \$500.00 to be imposed by the municipal court upon conviction. A person who has received a nonallowable contribution shall not be guilty of violating this section if the contribution is returned within ten days after the contribution has been made. A person who has received or made a nonallowable contribution or expenditure shall not be guilty of violating this section if that person pays the finance director of the city a sum of money equal to the nonallowable contribution or expenditure as determined by the finance director within ten days after being notified of the violation of the nonallowable contribution or expenditure. The notification given by the finance director of the violation and all other reports filed with

the city clerk shall be available to the public upon request. Any person who fails to file the required disclosure report with the city clerk shall be subject to a fine of up to \$500.00 per day for each day the required disclosure report is delinquent.

- (2) The penalty provisions of this section shall not apply to any contribution which violates provisions of RSMo 130.032.8, 130.071 or 130.072.

(G.O. No. 4640, § 1, 9-3-1996)

#### **Sec. 46-7. Use of city offices and rooms for political activities.**

Offices and rooms used for the conduct of city business shall not be used by any person to engage in a political campaign or in any political activity to oppose or support a candidate for an elected public office, except nothing contained in this section shall be construed to prohibit an individual from exercising rights protected by the First Amendment to the Constitution of the United States.

(Code 1981, § 11-5)

#### **Sec. 46-8. Posting campaign literature or signs in city buildings.**

It shall be unlawful for any person to post, place or affix any campaign literature, flyer, leaflet or sign for or against a candidate for a public office in or on a building or appurtenance thereto when the building is owned by the city, or for any person to permit such acts.

(Code 1981, § 11-6)

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#### **FOOTNOTE(S):**

— (1) —

*Charter reference— City elections and nominations for city officers, § 13.1 et seq. [\(Back\)](#)*

*Cross reference— Any ordinance establishing the boundaries or wards or precincts in the city saved from repeal, § 1-13(8); administration, ch. 2; city council, § 2-31 et seq. [\(Back\)](#)*

*State Law reference— Municipal elections, RSMo 122.050. [\(Back\)](#)*

**Section 19.16. Officers and employees interested in contracts.**

No member of the council and no salaried officer or employee of the City shall have a financial interest, direct or indirect, in any contract with the City, or be financially interested, directly or indirectly, in the sale to the City of any land, materials, supplies or services, except on behalf of the City as an officer or employee. This section shall not apply if the transaction involves the sale of City bonds made after public notice and competitive bidding, provided the bid accepted is the lowest qualified bid received.

No member of a board or commission shall have a financial interest, direct or indirect, in any contract with the department or administrative agency managed or operated by the board or commission on which he is serving, or be financially interested, directly or indirectly, in the sale to the board or commission of any land, materials, supplies, or services, except on behalf of the department or administrative agency.

Any violation of this Section renders the contract or sale void, and any council member, officer, employee, or board member violating the Section thereby forfeits his office or employment.

Notwithstanding any other provision of the Charter to the contrary, the City may acquire land from an employee of the City, other than a salaried officer, by purchasing the land from the employee or through the exercise of eminent domain; provided, however, such land shall not be purchased by the City at more than the fair market value as determined by an independent appraiser.

Approved by vote of the people November 5, 1985.



Springfield, Missouri, Code of Ordinances >> **PART I - CITY CHARTER >> ARTICLE XIII. NOMINATIONS AND ELECTIONS >>**

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**ARTICLE XIII. NOMINATIONS AND ELECTIONS**

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Section 13.1. Time of elections.

Section 13.2. Regulations of elections.

Section 13.3. When magistrate may conduct election.

Section 13.4. Vacancies created by recall—Election.

Section 13.4.1. Nomination by petition.

Section 13.5. Preparation of ballots.

Section 13.6. Voting machines.

Section 13.7. Returns: Canvass.

Section 13.8. Tie vote.

Section 13.9. Voting precincts.

**Section 13.1. Time of elections.**

A regular election for the choice of elective municipal officials shall be held biennially on the first Tuesday in April in odd-numbered years. A person shall become a candidate for such office upon filing a statement of candidacy for the city council position and upon the city clerk's determining that the person meets the qualifications for the position. A statement of candidacy shall be filed with the city clerk not more than fifty (50) days prior to the deadline for notification to the county election authority before the primary election, and not later than seven (7) days prior to such deadline. The city council may establish by ordinance provisions for holding municipal elections as well as special elections consistent with the Charter and state law.

Approved by vote of the people August 7, 2012.

**Section 13.2. Regulations of elections.**

The council shall provide by ordinance all regulations which it considers needful or desirable, not inconsistent with this Charter or state laws, for the conduct of municipal elections, including notice, for the prevention of fraud in such elections, and for the recount of ballots in case of doubt or fraud. Municipal elections shall be conducted by the city clerk unless otherwise provided by law.

Approved by vote of the people August 8, 1978.

**Section 13.3. When magistrate may conduct election.**

If, at any time, by reason of nonacceptance, resignation, refusal to qualify, or for any other cause, there shall be no officers of the city to order and conduct an election, the senior judge of the Greene County Circuit Court having jurisdiction in the City of Springfield is empowered to order and conduct an election for city officers, declare the results thereof, and install the newly elected officials.

Approved by vote of the people August 8, 1978.



### **Section 13.4. Vacancies created by recall--Election.**

A vacancy in the office of the mayor, general councilmember or zone councilmember following the filing of a sufficient petition for recall of such office holder as provided for in Sections 14.11 and 14.13 shall be filled for the unexpired term of such officer by the qualified voters of the City at large for general councilmember and the mayor or by the qualified voters of the zone for a zone councilmember. When such vacancy occurs, the council shall immediately fix a date for holding an election to fill such vacancy. The election to fill such vacancy shall be held at the earliest possible date or on any other election date established by state law provided such date falls within thirty (30) days of the earliest possible date permitted by law. The nomination of a qualified candidate to fill such vacancy shall be by petition for the unexpired term of a specific office. The petition for a zone councilmember shall be signed by not less than one hundred registered voters who are entitled to vote for the candidate so nominated. The petition for an official elected by the entire City shall be signed by not less than two hundred registered voters of the City. The city council shall establish the form for the nominating petition, procedures pertaining to the filing and verification of the same including the date for the filing of nominating petitions, provided the city council shall allow at least thirty (30) days for such nominations. A primary election shall not be held. The candidate receiving the highest number of votes for the office shall be declared elected and inducted into office at that time.

#### **Section 13.4.1. Nomination by petition.**

Nominations of candidates for all elective offices shall be by petition. Petitions for zone councilmembers shall be signed by not less than one hundred (100) registered voters who are entitled to vote for the candidate so nominated. Petitions for officials elected by the entire city shall be signed by not less than two hundred (200) registered voters of the city.

No voter shall sign more than one nominating petition for the same office, and should a voter do so, his signature shall be void except as to the petition first filed. This provision shall not be construed as preventing a voter from signing both a petition for a councilmember from his own zone and also for as many general councilmembers as are to be elected. Each signer of a petition shall designate his residence by street and number, or by other description sufficient to identify his place of residence.

The signatures on the nominating petition need not all be appended to one paper, but each separate paper shall bear the statement setting forth the election date, the office to be filled, and the name of the candidate on whose behalf the petition is being filed. In addition there shall be attached to each such paper a signed statement of the circulator thereof, stating the number of signers of such paper, that each signature appended thereto was made in his presence and is the genuine signature of the person whose name it purports to be, and that he believes each such signer to be a legal voter.

Nominating petitions shall be filed with the city clerk with the statement of candidacy, and shall be in substantially the following form:

We, the undersigned registered voters of the City of Springfield, Missouri, respectfully petition and request the name of \_\_\_\_\_ residing at \_\_\_\_\_, be placed upon the ballot as a candidate for the office of \_\_\_\_\_ to be voted for at the election to be held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and we, individually, signify that our names have appeared on the roll of registered voters within the last year, and that we are qualified to vote for this candidate:

Name	Street and Number	Date of Signing

### STATEMENT OF CIRCULATOR

The undersigned is the circulator of the foregoing paper containing \_\_\_\_\_ signatures. Each signature appended thereto was made in my presence and is the genuine signature of the person whose name it purports to be. I am a registered voter, qualified to vote for this candidate, and I believe each signer is a registered voter qualified to vote for this candidate.

\_\_\_\_\_(Signature of Circulator)

\_\_\_\_\_(Address)

### ACCEPTANCE OF NOMINATION AND STATEMENT OF CANDIDACY

I hereby accept the nomination for the office of \_\_\_\_\_ and file this statement of candidacy. I declare that I meet all requirements to hold said office, and that I agree to serve if elected.

Signature of Candidate \_\_\_\_\_

Date and hour of filing \_\_\_\_\_

This petition is filed by \_\_\_\_\_ whose address is \_\_\_\_\_. Received by \_\_\_\_\_.

Signature of City Clerk \_\_\_\_\_

Within five (5) days after the filing of a nominating petition the city clerk shall notify the candidate and the person who filed the petition whether or not it is found to be sufficient. If a petition is found insufficient, the city clerk shall return it immediately to the person who filed it with a statement certifying wherein the petition is found insufficient. Within the regular time for filing petitions a new or supplemental petition may be filed for the same candidate. The petition of each candidate nominated shall be preserved by the city clerk until the expiration of the term of office for which he has been nominated.

Approved by vote of the people April 3, 1984.

### Section 13.5. Preparation of ballots.

The names of candidates for elective offices shall be printed on the ballots in rotation, without party designation as follows: The ballots shall be printed and distributed among the various voting places in as many series as there are candidates, so that the name of each candidate shall appear in each position on the ballots as printed and distributed substantially an equal number of times; except that such provision shall not apply to names of candidates when mechanical or other devices for voting or counting votes are used not inconsistent with state law. When mechanical or other devices for voting or counting votes are used, the names of the candidates for each office shall be listed on the ballot in the order in which they are filed and certified as sufficient by the city clerk. The names of candidates in election notices shall be printed in alphabetical order.

Approved by vote of the people April 5, 1977.

### Section 13.6. Voting machines.

The council shall have the power to provide for the use of mechanical or other devices for voting or counting the votes not inconsistent with state law.

#### **Section 13.7. Returns; Canvass.**

Unless otherwise provided for by law, the council shall canvass the election returns and declare the results of any municipal election regular or special, at a meeting to be held not later than one week following such election. The candidate or candidates receiving the highest number of votes for each office shall be declared elected and inducted into office at that time.

#### **Section 13.8. Tie vote.**

If at any municipal election there shall be no choice between candidates by reason of two or more having received an equal number of votes, the council shall proceed to determine the election by lot in a meeting open to the public and to which all candidates have been invited.

#### **Section 13.9. Voting precincts.**

The wards of the city shall continue as now defined and may be divided into precincts when necessary subject to change by the council unless otherwise provided for by law.

5-1404.

**Exempt Signs.** The following signs do not require a sign permit, but must conform to all other sign regulations and the Building Code. These signs are allowed in all zoning districts in addition to all other signs allowed under this Article.

**A. Political Signs.**

1. The maximum effective area allowed in a non-business area shall be 6 square feet. For purposes of this section, non-business areas are properties zoned residential (R-SF, R-TH, R-LD, R-MD, R-HD, R-MHC WC3 or PD with areas designated as residential uses). A premise that has 250 feet or more frontage along one street or 5 acres or more, may have a sign up to 34 square feet in size.
2. The maximum effective area allowed in a business area shall be 34 square feet. Business areas are those properties with zoning other than residential.
3. Signs are prohibited in the City's right-of-way.
4. Sign illumination is prohibited.
5. Signs shall not be located within the required sight triangles.
6. Signs must be removed within 48 hours after the election to which they were directed.

**B. Directional Signs.** Detached directional signs shall not exceed 5 square feet in effective area. No part of the sign shall exceed 4 feet in height above street grade. If the grade level at the base of the sign is greater than 12 inches above the street grade, the sign shall not exceed 4 feet in height. Any logo, business name, product, or service identification, or other advertising shall not exceed 20 percent of the effective area.

**C. Flag.** Flags may be displayed to show allegiance, respect, or patriotism to the particular symbol or person displayed on the flag. They may not be displayed for advertising or to attract attention of the public to a particular site.

**D. Government Signs.** Any sign erected or maintained by or for any agency for any governmental function or required or authorized by law, ordinance, or governmental regulation.

**E. Internal Signs.** Any premise sign, the copy of which is not legible from a street right-of-way or adjoining residential property, but excluding mall signs as covered by the Building Codes. The sign copy shall be considered legible if the sign content exceeds 1 inch per 30 feet of distance from the public right-of-way.

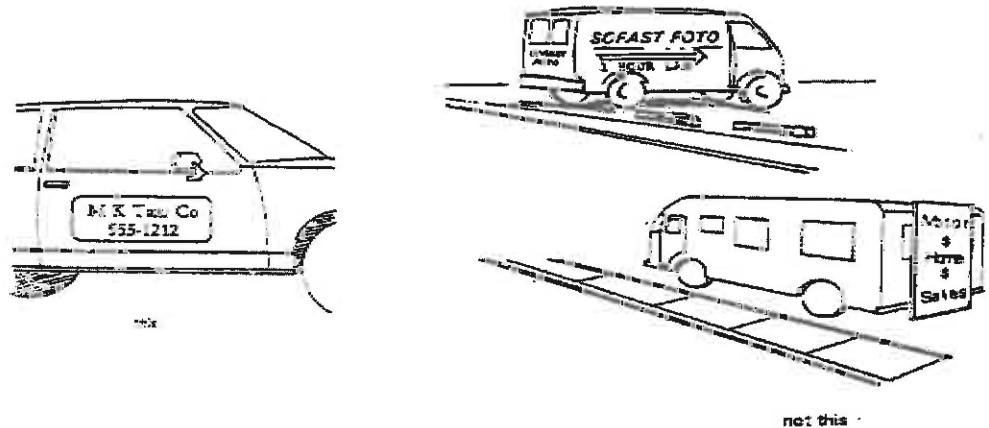
**F. Real Estate Sale, Lessee, and Construction Signs.** A non-illuminated, temporary, sign pertaining to the construction, sale, or lease, of that premise is allowed as follows:

1. The sign shall not exceed 34 square feet in effective area in all zoning districts except the residential, single-family-zoning district (R-SF).

2. The sign shall not exceed 6 square feet in effective area in the residential, single-family-zoning district (R-SF).
3. All signs shall be removed within 14 days after the closing of the sale or lease or within 30 days after the issuance of an occupancy permit or erection of a permanent sign, whichever occurs first.
4. The sign must be located on the premise of the sale, lessee or construction.

G. "Now hiring" signs shall not exceed 6 square feet in size.

H. **Vehicular Signs.** Vehicular signs must not contain any flashing or blinking lights, nor any animation. The sign may not increase the size of the surface area or alter the shape of the motor vehicle, except that a roof sign not to exceed two (2) square feet in effective area shall be allowed. This exemption shall not include signs in transit to a site of permanent use. Provided, however, nothing in this section shall limit the use, size, or shape of political signs on vehicles. (G.O. 5605, 09/22/06); (G.O. 5960; 12/12/2011)



- I. **Machinery and Equipment Signs.** A sign located on machinery or equipment that is necessary or customary to the business, including such devices as gasoline pumps or vending machines, which devices do not increase the size of the surface area or alter the shape of the machine or equipment. Such signage shall advertise products sold on the premises where the machines are located.
- J. **Parking-Lot-Light-Pole Banners.** Parking-lot-light-pole banners shall be located a minimum of 50 feet from any public right-of-way, and not exceed a total of 10 square feet in effective area. The bottom of the banner shall be a minimum of 10 feet above the parking lot grade.
- K. **City-Park Sign.** A Sign on facilities located in city parks that provides information incidental to a sponsored activity, such as scoreboards, time clocks, benches, or signs in concessions stands.
- L. **Special-Event, Temporary Sign:** A temporary sign not exceeding 10 square feet (residential districts) and 34 square feet (commercial districts) in background-area-advertising drives, grand openings, or events of a civic, philanthropic, educational, religious, political or similar nature, provided that said sign is posted only during said

drive or event for no more than 30 days per year and is removed within 24 hours after an event.

- M. **Attached, Incidental Signs.** Signs that pertain to goods, products, services, or facilities available on the premises where the sign is located, but only tangentially related to the main activities or purposes of the business. These signs may not exceed a total of 4 square feet in effective area per business.
- N. **Window Signs:** Lettering on the exterior face of a window stating the days and times that the business is open.

# Missouri Ethics Commission

## **Guide To Personal Financial Disclosure**



[www.mec.mo.gov](http://www.mec.mo.gov)

09/10/13





# **Personal Financial Disclosure**

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**Information about the Missouri Ethics Commission (MEC) & all forms and requirements can be found on the Commission's website at [www.mec.mo.gov](http://www.mec.mo.gov).**

This booklet is intended only as a guide to aid understanding of the Personal Financial Disclosure (PFD) Requirements.

For the law's complete requirements, consult the law itself codified in Chapter 105, specifically §105.483 - §105.492, of the Revised Statutes of Missouri.

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## **About Personal Financial Disclosure**

### **What is Personal Financial Disclosure?**

The purpose of filing a Personal Financial Disclosure (PFD) statement is to provide to the public information about a public official's, employee's or candidate's financial interests. Historically PFDs have been used to disclose any potential conflicts of interest by a public official or employee. Also known as Financial Interest Statement.

### **What statutes govern PFD requirements?**

Section 105.483 through 105.492, RSMo.

### **What is a Political Subdivision?**

**(§105.450 RSMo)**

A political subdivision is a district, sub district or special district of the state with taxing authority.

Examples include: a county, city, town, village, township, school district, library district, public water supply district, road district, fire protection district, ambulance district, hospital district, health center, nursing home district, and other districts formed (pursuant to Mo. Law) to provide limited, specific services.

### **Who must file?**

**(§105.483 RSMo)**

Public officials and candidates for the following positions are required to file personal financial disclosure statements (including former officials/employees who served in the previous calendar year):

- ✓ Statewide office and designated staff
- ✓ Senators and Representatives
- ✓ New judicial candidates
- ✓ Incumbent Judges (except Municipal)
- ✓ Municipal Judges (if required by political subdivision)
- ✓ Certain state boards and commission members



## **About Personal Financial Disclosure**

### **Who must file? (continued)** **(§105.483 RSMo)**

- ✓ Certain employees of the state or political subdivisions of the state including those employees who are authorized to serve as the chief administrative officer, chief purchasing officer, general counsel (if employed full-time), or to promulgate or adopt rules and regulations
- ✓ Candidates and public officials in political subdivisions, where an ordinance has been adopted and filed with the Missouri Ethics Commission (MEC), that meet one or both of the following exceptions:
  - ◆ The candidate, official, or their relative (related within the first degree of blood or marriage) is doing business or owns a substantial interest in a business that has conducted business with the political subdivision in excess of \$500/transaction, or
  - ◆ The conflict of interest ordinance/resolution specifically requires the filing of a Personal Financial Disclosure statement.

### **Where to file?**

- ✓ Annual filers (except sitting Judges) file with MEC. If a political subdivision has an ordinance on file, filer must also provide a copy to the governing body of the political subdivision.
- ✓ Circuit & Associate Circuit Judges file with Supreme Court.



## **About Personal Financial Disclosure**

### **What information must I include?**

**(§105.485 RSMo)**

- ✓ Include information for filer, filer's spouse and any dependent child(ren)
- ✓ If spouse is also a required filer, must disclose spouse's name only
- ✓ Do not include account numbers

For the law's complete requirements, consult §105.483-105.492 RSMo. If you are unsure if something should be disclosed, there is no penalty for over disclosure.

### **How do I file my PFD and what are the deadlines for filing?**

File electronically:

- ◆ Log-in to Personal Financial (PFD) E-filing system
- ◆ Must be received by 5:00 pm **on** due date

Submit by mail to:

- ◆ Missouri Ethics Commission, PO Box 1370,  
Jefferson City MO 65102
- ◆ Must be post-marked no later than midnight the day **before** the due date

Deliver in person to:

- ◆ Missouri Ethics Commission, 3411 A Knipp Dr.,  
Jefferson City MO
- ◆ Must be received by 5:00 p.m. **on** the due date

**Fax filings ARE NOT accepted,  
paper forms require original signature.**

**If a due date falls on a weekend or holiday,  
it extends to the next business day.**

## **About Personal Financial Disclosure**

### **What form should I use?**

*Personal Financial Disclosure Statement* (long form) - generally filed unless specifically stated otherwise by political subdivision's ordinance.

*Financial Disclosure Statement for Political Subdivision* (short form) - filed by individuals designated by political subdivision with an adopted ordinance or resolution.

### **What are the penalties for late filing?**

**(§105.492 RSMo)**

- ✓ Late fees
- ✓ Candidate disqualification/removal from ballot
- ✓ Withholding of compensation until PFD is filed
- ✓ Suspension from office with continued failure to file 30 or more days after receiving notice from the MEC (if an elected official or judge, subject to removal from office)

### **Can I amend a report?**

**(§105.485 RSMo)**

Yes, file an amended PFD if something was omitted from a previously filed statement.

### **Are PFD statements public records?**

Yes, the MEC provides copies of PFD statements upon written request. A copying fee is charged.

### **What if I have multiple positions that require the filing of a PFD?**

**(§105.487 RSMo)**

File only one PFD for that calendar year and include all positions held. Must file by the earliest deadline applicable and file the longest form required.

See our FAQs on our website at [www.mec.mo.gov](http://www.mec.mo.gov)



## **All Required Filers**

### **Annual filers** **(§105.487 RSMo)**

Individuals holding certain positions, designated by political subdivisions with an annual operating budget (AOB) over \$1 million, are required to file a PFD statement beginning in January and no later than May 1st for each year they hold the position. These individuals, known as annual filers, should check with their political subdivision for their filing requirements.

The political subdivision may adopt a conflict of interest ordinance or resolution identifying positions required to file. The ordinance must be filed with the MEC and is required to be re-adopted every 2 years.

#### **List of required annual filers:**

- ◆ Each year, all designating agencies and/or political subdivisions with an AOB over \$1 million (with or without an ordinance or resolution) are required by law to provide the MEC with a list of all individuals required to file a PFD.
- ◆ An individual should contact his agency or political subdivision with questions about being designated by an agency.

#### **Annual filer notification:**

- ◆ MEC annually notifies, in January of the year the statement is due, individuals (including former officials/employees) who have been designated as required to file by their agency or political subdivision.
- ◆ State law requires the agency, designating the individual as required to file, to notify the individual, including former officials/employees.

#### **Reporting time period (§105.487(3) RSMo)**

- ◆ Include entire previous calendar year (January 1 to December 31);  
**unless**
- ◆ If not in the position for the entire calendar year, report from January 1 through the last day the position was held.

## **All Required Filers**

### **Newly Appointed or Employed** **(§105.487 RSMo)**

#### **New Appointment**

Must file a PFD if the position specifically requires it:

- ◆ Within 30 days from appointment date
- ◆ With the MEC
- ◆ Report for calendar year before the date of appointment  
(ex: if appointed in 2013, report for calendar year 2012).

#### **New Employee**

Must file a PFD if the position specifically requires it:

- ◆ Within 30 days from hire date
- ◆ With the MEC
- ◆ Report for calendar year before the date of employment  
(ex: if newly hired in 2013, report for calendar year 2012).



## **All Required Filers**

### **Candidates for elective office**

**(§105.487 & 105.489 RSMo)**

Must file PFD with MEC & give copy to political subdivision if it has an ordinance:

- ✓ Due no later than 14 days after the closing date for filing for candidacy
- ✓ If become a candidate after the certification date, must file PFD within 14 days of nomination
- ✓ Includes candidates for political subdivision with an AOB over \$1 million dollars (unless the political subdivision has adopted an ordinance or resolution which excludes the candidate from filing a PFD)

### **Candidates for judicial office**

**(§105.489(2) RSMo)**

- ✓ New associate circuit judicial candidates- *file with MEC*
- ✓ Municipal judge candidates (if required by subdivision)- *file with MEC*
- ✓ All other judicial candidates- *file with Supreme Court*

### **Candidate notification**

**(§105.487(1) RSMo)**

Candidates for public office receive notification of the filing requirement from their election authority when they file for office.

### **Candidate reporting time period**

**(§105.487(1) RSMo)**

Incumbent Candidate—Report information from January 1 of the previous calendar year to the closing date for candidacy (may be longer than a 12 month period)

New Candidate—Report information for 12 months before the closing date for candidacy

## **Candidate Required Filers**

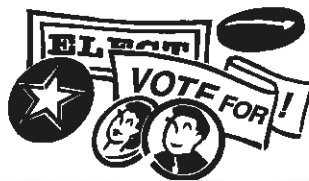
### **Candidate Filing** **(§105.487 RSMo)**

Candidates required to file a PFD must file in accordance with statutory election dates.

- ✓ Reporting Dates—for exact due dates view the **Personal Financial Disclosure Reporting Dates** calendar available on our website
- ✓ The calendar states **by election date**, the:
  - ◆ Closing date for filing for candidacy
  - ◆ 14-day PFD filing deadline
  - ◆ 21-day PFD filing deadline
- ✓ Penalties
  - ◆ Failure to file by the **14 day** deadline results in a minimum \$10 per day late fee
  - ◆ Failure to file by the **21 day** deadline results in late fees, candidate disqualification, and removal from ballot (both the candidate and the official with whom the candidate filed are notified.)

If there is a conflict of interest ordinance on file with the MEC and the above deadlines are not met, penalties (if any) are assessed by the political subdivision according to their ordinance.

A candidate required to file a PFD because of their candidacy in a primary election is required to **amend** their PFD by the close of business on the Monday before the general election if they obtain any additional financial interests or have any change in their existing financial interests since the filing of their last PFD. (§105.487(1) RSMo.)



See our FAQs on our website at [www.mec.mo.gov](http://www.mec.mo.gov)

## **Political Subdivision Requirements**

### **Political subdivision requirements**

Must report to MEC, annually:

- ✓ If annual operating budget (AOB) is over \$1 million or is \$1 million or less
- ✓ If a conflict of interest ordinance or resolution has been adopted by the subdivision
- ✓ List of designated required filers (annual & candidate)

### **Required filers within a political subdivision** **(§105.485.4 RSMo)**

If political subdivision's AOB is over \$1 million:

- ◆ Elected officials
- ◆ Candidates for elected office
- ◆ Chief administrative officer
- ◆ Chief purchasing officer
- ◆ General counsel (if employed full-time)
- ◆ Any official or employee authorized by the political subdivision's governing body to promulgate rules and regulations or vote on the adoption of rules and regulations.

If political subdivision adopts an ordinance or resolution, at a minimum:

- ◆ Chief administrative officer
- ◆ Chief purchasing officer
- ◆ A candidate, public official, or their relative (within the 1st degree by blood or marriage) who has conducted business or owns a substantial interest in a business that has conducted business with the political subdivision in excess of \$500 per transaction

### **Ordinance requirements** **(§105.485.4 RSMo)**

Must be adopted biennially, at an open meeting, by September 15 of the preceding year; and must file a copy, certified by political subdivision, with the MEC, within 10 days of its adoption

## **Reporting Questions?**

### **Time Period Covered**

Status	Time Period	Due Date
<b>Annual Filer</b>	January 1 to December 31 (if no longer serving, enter time period served)	May 1st
<b>Newly Appointed or Employed</b>	Calendar year before the date of appointment/ employment	Within 30 days of appointment/ employment
<b>Incumbent Candidate</b>	January 1 of previous cal- endar year to closing date for candidacy (may be longer than a 12 month period)	Within 14 days of closing date for candidacy
<b>New Candidate</b>	12 months before the closing date for candidacy	Within 14 days of closing date for candidacy

### **Dependent Children Name(s)**

List the names of all children, stepchildren, foster children and wards under the age of 18 residing in the person's household and who receive in excess of 50% of their support from the person.

### **Spouse's Name**

List the name of your spouse. You do not need to include their additional information if they are also a required filer. A spouse would only be required to file if they are also in a position that requires filing.

### **Political Subdivision**

List the name of the entity you are associated with (ex: school district, county, city, ambulance district, state agency, college/university, etc.). If filer belongs to a board or commission, list the associated agency.

## **Reporting Questions?**

### **Title**

List your position(s), and/or, if a candidate, the office seeking (ex. school board member, county commissioner, city mayor, state agency director, etc.).

### **Employment**

List the name and address of each employer from whom you, your spouse, or dependent child(ren), received income of \$1,000 or more during the time period covered on the statement.

### **Stocks, Bonds or Other Holdings**

List the following if owned by you, your spouse or dependent child(ren) during the time period covered on the statement. If the entity is a corporation listed on a regulated stock exchange, list the name only.

- A. Name of any closely-held corporation/limited partnership (ownership of 10% or more); or of
- B. Name of any publicly traded corporation/limited partnership listed on a regulated stock exchange or automated quotation system (ownership of 2% or more); or
- C. Name and address of any stock, bond or other equity interest (value of more than \$10,000);

EXCEPTIONS: ▶ Interest in any qualified plan or annuity pursuant to Employees Retirement Income Security Act (ERISA). ▶ **Members of state boards or commissions** uncompensated except for actual expenses or a per diem allowance do not have to report interest in publicly traded corporations or limited partnerships listed on a regulated stock exchange or automated quotation system.

### **Miscellaneous Income**

List the name and address of any source from which you, your spouse, or dependent child(ren) received \$1,000 or more during the time period covered by the statement, not reported elsewhere (ex: rental income, government assistance, inheritance, dividends, etc.).

Cont. 



## **Reporting Questions?**

### **Trust Assets**

If you, your spouse or dependent child(ren), is the settlor (creator) of a revocable trust, list any assets in the trust that would have been reported elsewhere on this form, during the time period covered by the statement, if they had not been in the trust.

### **Relatives**

List spouse, parent(s), child(ren) and child(ren)'s spouse who were employed during the time period covered by this statement, by the State of Missouri, a political subdivision (city, county, school, etc.) or a special district, or who were lobbyists, or who are fee agents of the Department of Revenue.

### **Committees**

List the name and address of each campaign committee, candidate committee, continuing committee/PAC, or political party committee for which any person or any corporation listed on this statement received payment during the time period covered by the statement.

### **Attest, Signatures**

Check applicable certification box(es). Complete date and signature portion. (A paper form can not be accepted without the filer's original signature).



PFD forms can be downloaded from  
our website at [www.mec.mo.gov](http://www.mec.mo.gov)

## **Training/Resources**

Visit our website for other training resources,  
including topic specific tutorials & brochures,  
FAQS, Deadlines & Reminders & more!

<http://www.mec.mo.gov>

View the training page to see the training  
schedule & to register.

<http://www.mec.mo.gov/Training>

## **Notes**

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# **Missouri Ethics Commission**

## **COMMISSIONERS**

**Dennis Rose**

**Chair**

Democrat

1st Congressional District

Term expires March 15, 2014

**Louis J. Leonatti**

**Vice Chair**

Republican

9th Congressional District

Term expires March 15, 2014

**Vernon Dawdy**

Democrat

3rd Congressional District

Term expires March 15, 2014

**John Munich**

Democrat

2nd Congressional District

Term expires March 15, 2016

**William Stoltz**

Republican

8th Congressional District

Term expires March 15, 2016

**Charles E. Weedman**

Republican

4th Congressional District

Term expires March 15, 2016

## **CONTACT INFORMATION**

### **STAFF CONTACTS**

**James Klahr—Executive Director**

**Stacey Heislen—Deputy Executive Director**

**Betsy Byers—Director of Business Services**

**Elizabeth (Liz) Ziegler—General Counsel**

**Betty Lohmann—Personal Financial Disclosure**

### **MISSOURI ETHICS COMMISSION**

**Physical Address:** 3411 A Knipp Drive  
Jefferson City MO 65109

**Mailing Address:** PO Box 1370  
Jefferson City MO 65102

**Email:** [PFDOonline@mec.mo.gov](mailto:PFDOonline@mec.mo.gov)

**Phone:** 800-392-8660  
573-751-2020

**Website:** [www.mec.mo.gov](http://www.mec.mo.gov)

**Twitter:** Follow us @MOEthics



## 2013-2014 PERSONAL FINANCIAL DISCLOSURE REPORTING DATES

Individuals required to file a Personal Financial Disclosure Statement who are not candidates, newly appointed or newly employed are required to file after January 1, 2014 and no later than May 1, 2014

### Personal Financial Disclosure Filing Deadlines for Candidates

STATUTORY ELECTION DATES	CLOSING DATE OF FILING FOR CANDIDACY	PERSONAL FINANCIAL DISCLOSURE STATEMENT FILING DEADLINE* (14 DAYS FROM THE CLOSING DATE OF FILING FOR CANDIDACY)	PERSONAL FINANCIAL DISCLOSURE STATEMENT FILING DEADLINE** (21 DAYS FROM THE CLOSING DATE OF FILING FOR CANDIDACY)
February 4, 2014	November 19, 2013	December 3, 2013	December 10, 2013
March 4, 2014 (see charter)	December 17, 2013	December 31, 2013	January 7, 2014
April 8, 2014	January 21, 2014	February 4, 2014	February 11, 2014
August 5, 2014	March 25, 2014	April 8, 2014	April 15, 2014
November 4, 2014	August 19, 2014***	September 2, 2014	September 9, 2014

\*FAILURE TO FILE BY FOURTEEN DAY DEADLINE SHALL RESULT IN A LATE FILING FEE OF \$10 PER DAY

\*\*FAILURE TO FILE BY TWENTY-ONE DAY DEADLINE SHALL RESULT IN REMOVAL FROM THE BALLOT

Personal Financial Disclosure statements may be obtained from your local election authority or by visiting the Missouri Ethics Commission website at [www.mec.mo.gov](http://www.mec.mo.gov). Personal Financial Disclosure Statements filed by mail **MUST** be postmarked no later than midnight of the day prior to the report deadline to be considered timely filed. Reports hand delivered on the deadline must be received by 5:00 p.m. to be considered timely. Section 105.487 (4) RSMo.

\*\*\* Close of filing for jurisdictions authorized to elect directors in November, such as 911 & Emergency Services directors.

# *Missouri Revised Statutes*

## **Chapter 105** **Public Officers and Employees--Miscellaneous Provisions** **Section 105.487**

August 28, 2013

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### **Financial interest statements--filed, when, exception.**

105.487. The financial interest statements shall be filed at the following times, but no person is required to file more than one financial interest statement in any calendar year:

- (1) Each candidate for elective office, except those candidates for county committee of a political party pursuant to section 115.609 or section 115.611, who is required to file a personal financial disclosure statement shall file a financial interest statement no later than fourteen days after the close of filing at which the candidate seeks nomination or election, and the statement shall be for the twelve months prior to the closing date, except that in the event an individual does not become a candidate until after the date of certification for candidates, the statement shall be filed within fourteen days of the individual's nomination by caucus. An individual required to file a financial interest statement because of the individual's candidacy for office prior to a primary election in accordance with this section is also required to amend such statement no later than the close of business on Monday prior to the general election to reflect any changes in financial interest during the interim. The appropriate election authority shall provide to the candidate at the time of filing for election written notice of the candidate's obligation to file pursuant to sections 105.483 to 105.492 and the candidate shall sign a statement acknowledging receipt of such notice;
- (2) Each person appointed to office, except any person elected for county committee of a political party pursuant to section 115.617, and each official or employee described in section 105.483 who is not otherwise covered in this subsection shall file the statement within thirty days of such appointment or employment;
- (3) Every other person required by sections 105.483 to 105.492 to file a financial interest statement shall file the statement annually not later than the first day of May and the statement shall cover the calendar year ending the immediately preceding December thirty-first; provided that the governor, lieutenant governor, any member of the general assembly or any member of the governing body of a political subdivision may supplement such person's financial interest statement to report additional interests acquired after December thirty-first of the covered year until the date of filing of the financial interest statement;
- (4) The deadline for filing any statement required by sections 105.483 to 105.492 shall be 5:00 p.m. of the last day designated for filing the statement. When the last day of filing falls on a Saturday or Sunday or on an official state holiday, the deadline for filing is extended to 5:00 p.m. on the next day which is not a Saturday or Sunday or official holiday. Any statement required within a specified time shall be deemed to be timely filed if it is postmarked not later than midnight of the day previous to the last day designated for filing the statement.

(L. 1990 H.B. 1650 & 1565 § 3, A.L. 1991 S.B. 262, A.L. 1996 H.B. 846, A.L. 1997 S.B. 16)

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[Missouri General Assembly](#)

## **CANDIDATE ELECTION PROCEDURES**

A regular election for the choice of elective municipal officials shall be held biennially on the first Tuesday in April in odd-numbered years.

A statement of candidacy shall be filed with the City Clerk not more than fifty (50) days prior to the deadline for notification to the county election authority before the general election, and not later than seven (7) days prior to such deadline.

Nominations of candidates for all elective offices shall be by petition. Petitions for zone Councilmembers shall be signed by not less than one hundred (100) registered voters who are entitled to vote for the candidate so nominated. Petitions for officials elected by the entire city shall be signed by not less than two hundred (200) registered voters of the city. No voter shall sign more than one nominating petition for the same office. Nominating petitions shall be filed with the City Clerk with the statement of candidacy. Within five (5) days after the filing of a nominating petition the City Clerk shall notify the candidate and the person who filed the petition whether or not it is found to be sufficient.



## APPLICATION FOR CITY COUNCIL

Mr./Ms./Mrs. \_\_\_\_\_ Employer \_\_\_\_\_

Home Address \_\_\_\_\_ Business Address \_\_\_\_\_

\_\_\_\_\_ Zip \_\_\_\_\_ \_\_\_\_\_ Zip \_\_\_\_\_

Home Phone \_\_\_\_\_ Business Phone \_\_\_\_\_

E-mail address \_\_\_\_\_

Do you live in the Springfield City Limits? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, how long? \_\_\_\_\_

Previous employers and positions \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Special Qualifications \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Educational Background \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Community activities and offices held \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

References \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Please attach resume.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_